

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Martis et al.
Appl. No.: 09/909,733
Filed: July 20, 2001
Title: IMPROVED PERITONEAL DIALYSIS SOLUTIONS WITH POLYPEPTIDES
Art Unit: 1653
Examiner: D. Lukton
Docket No.: DI-4389 US DIV

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Assistant Commissioner for Patents
Washington, DC 20231

TECH CENTER 1600/2900

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which are enclosed, be made during the course of examination of the above-identified application for United States patent.

U.S. PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
4,168,337	9-18-79	Maistre
4,959,175	9-25-90	Yatzidis

FOREIGN PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
EP0399549	5-18-93	Europe
EP0431465	6-12-91	Europe
EP0170275	2-5-86	Europe
EP0564672	10-13-93	Europe
EP0277868	9-25-90	Europe
W09319792	10-13-93	PCT

REMARKS

This Supplemental Information Disclosure Statement is being concurrently submitted with Applicants' response to the Office Action dated March 22, 2002. With respect to U.S. Patent No. 4,168,337, this reference was cited in Applicants' previously submitted Information Disclosure Statement ("IDS") filed on September 26, 2001. This reference is again identified in

the Supplemental IDS to indicate the correct Inventor's name and Issuance Date. It is believed that a copy of this reference has been filed with the Patent Office regarding the previously submitted IDS.

With respect to U.S. Patent No. 4,959,175, Applicants believe that this reference is equivalent to EP0277868, a copy of which has been also provided in addition to an English language translation of its Abstract. A copy of U.S. Patent No. 4,959,175 is also enclosed herewith.

With respect to EP0399549, this reference was cited in the previously submitted IDS. Applicants believe that this reference is equivalent to U.S. Patent No. 5,211,643, also identified in the previously submitted IDS. It is believed that a copy of the EPO399549 reference has been filed with the Patent Office regarding the previously submitted IDS. Enclosed herewith is an English language translation of the EPO399549 reference.

With respect to the remaining references cited, Applicants have provided an English language translation of the Abstract of these references, in addition to a copy of these references.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
DI-4389 US DIV

In Re Application Of **Martis et al.**

Serial No.
09/909,733

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Assistant Commissioner for Patents
Washington, D.C. 20231

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37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☒ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
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Payment of Fee

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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited **June 20, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Robert Buccieri

Typed or Printed Name of Person Mailing Certificate

***This certificate may only be used if paying by deposit account.**

Dated: **June 20, 2002**

Signature

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